

FILED
16 JAN 13 PM 1:39
DEPT. OF COURT RECORDS
ALLEGHENY COUNTY, PA

CLERK OF COURT
Court of Common Pleas
Office of Court Records
Attala County, PA

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA
CRIMINAL DIVISION

COMMONWEALTH OF PENNSYLVANIA

CC No. 2012-02821

v.

OTN. G-547703-2

MATTHEW EBO,
Defendant

CHARGES:

Criminal Homicide-First Degree/Robbery-Inflict
Serious Bodily Injury/Robbery-Motor Vehicle/
Carrying Firearms without a License/Possession
of a Firearm/Criminal Conspiracy (2 Counts)

JUDGE: Beth A. Lazzara

**NOTICE OF APPEAL
TO THE SUPERIOR COURT**

Filed on behalf of:

MATTHEW EBO,
Defendant

Counsel of Record for this Party:

ELLIOT HOWSIE
Public Defender
PA I.D. #83441

OFFICE OF THE PUBLIC DEFENDER
400 County Office Building
Pittsburgh, Pennsylvania 15219-2904
412-350-2403

BRANDON P. GING
Deputy-Appellate Division
PA I.D. # 207116

VICTORIA H. VIDT***
Assistant Public Defender
Appellate Counsel
PA I.D. #67385

****Counsel of Record*

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

CRIMINAL DIVISION

COMMONWEALTH OF PENNSYLVANIA : CC No. 2012-02821
v. : OTN. . G-547703-2
MATTHEW EBO, :
Defendant :
.

NOTICE OF APPEAL TO PENNSYLVANIA SUPERIOR COURT

THIS Notice of Appeal is given that the Defendant, **MATTHEW EBO**, hereby appeals to the Superior Court of Pennsylvania from the Judgment of Sentence imposed on November 28, 2012, and the Order dated December 22, 2015, denying Defendant a New Trial by The Honorable Beth A. Lazzara, Criminal Court Division of the Common Pleas of Allegheny County, Pittsburgh, Pennsylvania.

Elliot Howsie
ELLIOT HOWSIE
Public Defender
PA I.D. #83441

Brandon P. Ging
BRANDON P. GING
Deputy-Appellate Division
PA I.D. #207116

Victoria H. Vidt
VICTORIA H. VIDT
Assistant Public Defender
Appellate Counsel
PA I.D. #67385

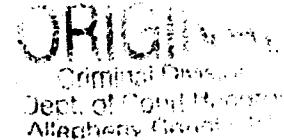
**IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA
CRIMINAL DIVISION**

COMMONWEALTH OF PENNSYLVANIA, No. CR 2820-2012

v.

THADDEUS CRUMBLEY,

Defendant.



COMMONWEALTH OF PENNSYLVANIA, No. CR 2821-2012

v.

MATTHEW EBO,

Defendant.

ORDER OF COURT

BETH A. LAZZARA, JUDGE
Court of Common Pleas

Copies Sent To:

Steven Stadtmiller, Esquire
Office of the District Attorney
Allegheny County Courthouse
Pittsburgh, PA 15219

Sally Frick, Esquire
437 Grant Street
Suite 407
Pittsburgh, PA 15219

Victoria Vidt, Esquire
Office of the Public Defender
400 County Office Building
542 Forbes Avenue
Pittsburgh, PA 15219

FILED

15 DEC 22 PM 2:53

DEPT. OF COURT MANAGEMENT
CRIMINAL DIVISION
ALLEGHENY COUNTY, PA

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA
CRIMINAL DIVISION

COMMONWEALTH OF PENNSYLVANIA)
v.) CC # 2012-2820
THADDEUS CRUMBLEY,)
Defendant)
<hr/>	
COMMONWEALTH OF PENNSYLVANIA)
v.) CC # 2012-2821
MATTHEW EBO,)
Defendant.)

ORDER OF COURT

AND NOW, this 22nd day of December, 2015, this case having been remanded from the Superior Court of Pennsylvania for the purposes of determining whether a new trial is warranted based on after discovered/newly discovered evidence, and this court having conducted an evidentiary hearing on October 29, 2015, the court HEREBY FINDS THAT A NEW TRIAL IS NOT WARRANTED in the above-captioned cases.

In so finding, the court notes that it has given meaningful consideration to the evidence that was presented at the evidentiary hearing, including the post-trial recantation videotaped and handwritten statements made by Saday Robinson, the

Commonwealth's central witness at trial. The court also thoroughly considered the arguments made at the conclusion of the evidentiary hearing by counsel and carefully reviewed the post-hearing briefs that were filed by both of the Defendants and the Commonwealth.

As noted by the parties, Saday Robinson provided testimony at the October 29, 2015 evidentiary hearing, during which she recanted the statements that she had made to defense investigator Barry Fox in videotaped and handwritten form. The videotaped and handwritten statements served as the recantation evidence upon which the Defendants have relied in seeking a new trial based on after-discovered/newly discovered evidence. It should be noted that Ms. Robinson never took an oath to tell the truth prior to giving the videotaped statement and did not write the handwritten statement under penalty of perjury. During her testimony at the October 29, 2015 hearing, Ms. Robinson explained that the statements that she had made in video and written form were untruthful. She explained that she had lied to defense investigator Barry Fox because she had been threatened by people associated with the Defendants. Additionally, she had been offered a substantial sum of money -- \$25,000 -- to recant her trial testimony.

The court paid extremely close attention to Ms. Robinson's demeanor throughout the evidentiary hearing, and it finds highly credible her explanation for why she initially attempted to recant her trial testimony to defense investigator Barry Fox. Ms. Robinson acknowledged that she is in fear for her life from the Defendants. Her fear is due, in

part, to her knowledge of the reputation of the Defendants, their friends, associates and families, as well as the events she herself witnessed. She indicated, convincingly, that she would rather have lied than lost her life. Ms. Robinson was in fear from the Defendants, given that people associated with them kept finding her despite several moves. Further, she testified credibly that she believed that, if she cooperated with the defense efforts, she would be left alone by the Defendants. The court also found highly credible her explanation for why she recanted her post-trial recantation statements during the evidentiary hearing. Ms. Robinson indicated that she did not want guilty people to be let out of jail and that the Defendants deserved to be in jail for what they had done. Ms. Robinson did not waver in her testimony at the evidentiary hearing and was adamant that her post-trial recantation statements were made out of fear and not as a result of any crisis of conscience that she was experiencing as to the certainty of her observations. At the October 29, 2015 hearing, Ms. Robinson very clearly, convincingly, and without hesitation, identified the Defendants as the perpetrators of the murder. It must be noted that this was the second time that she made her identification of the Defendants as murderers in a courtroom, in the presence of the Defendants and under oath.

This court had the benefit of sitting through the original homicide trial, and it observed firsthand Ms. Robinson's demeanor when she provided her eyewitness account of the brutal murder and identified the Defendants as the perpetrators. Ms. Robinson shook uncontrollably throughout her testimony and was clearly frightened to be involved in the case. As the Commonwealth noted in its brief, Ms. Robinson had

nothing to gain and everything to lose by testifying against the Defendants during the homicide trial. This holds equally true with regard to her testimony at the evidentiary hearing related to her supposed recantation. Ms. Robinson has nothing to gain and everything to lose by recanting the unsworn recantation statements that she made to Barry Fox. She continues to place herself in danger of retribution by maintaining her position that the Defendants were the perpetrators of the murder, which makes her identification testimony all the more credible. The fact that she maintains her identification of the Defendants as murderers when under oath and forced to confront them face-to-face, and in light of her fear of the Defendants based on their reputations, threats made to her, and her inability to remain hidden, makes Ms. Robinson's identification ring with truthfulness and credibility.

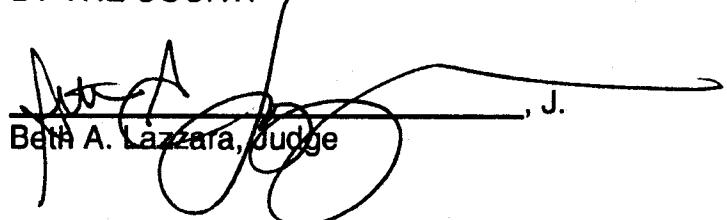
Accordingly, after taking into account the strength of Saday Robinson's identification testimony at trial and after finding Ms. Robinson's testimony at the evidentiary hearing credible in all respects, this court finds that a new trial is not warranted under these circumstances. Given that Ms. Robinson has consistently identified the Defendants while under oath, and given that her identification testimony has been very credible each time, the court does not find that the purported recantation evidence would "likely result in a different verdict if a new trial were granted." Commonwealth v. Padillas, 997 A.2d 356, 363 (Pa. Super. 2010).

As our appellate courts have consistently recognized, "recanting testimony is exceedingly unreliable, and it is the duty of the court to deny a new trial where it is not

satisfied that such testimony is true." Commonwealth v. Coleman, 264 A.2d 649, 651 (Pa. 1970); *See also Commonwealth v. Mosteller*, 284 A.2d 786, 788 (Pa. 1971). Indeed, "a prerequisite to such relief is that the evidence upon which the relief is sought must be credible to the trial court." Commonwealth v. Loner, 836 A.2d 125, 135 (Pa. Super. 2003).

For the aforementioned reasons, the court finds that a new trial is not warranted because Ms. Robinson credibly recanted her unsworn recantation statements, and the court finds that her explanation for why she originally made the statements and why she recanted them to be credible, believable and trustworthy .

BY THE COURT:



Beth A. Lazzara, Judge

Commonwealth of Pennsylvania
v.
Matthew Ebo

IN THE COURT OF COMMON PLEAS OF
ALLEGHENY COUNTY, PENNSYLVANIA

CRIMINAL DIVISION

DOCKET NO: CP-02-CR-0002821-2012

**Order-Denial of Post Sentence Motion
By Operation of Law**

AND NOW, this 26th day of June, 2013, the motion for post sentence relief presented by The Office of The Public Defender in this matter, is DENIED by operation of law pursuant to Pa.R.Crim.P. 720(B)(3)(b).

The defendant is advised of the following:

1. You have the right to file an appeal within 30 days of the entry of this order,
2. You have the right to the assistance of counsel in the preparation of your appeal,
3. You have the right, if you are indigent, to appeal in forma pauperis and to proceed with assigned counsel as provided in Pa.R.Crim.P. 122; and
4. You have a qualified right to bail under Pa.R.Crim.P. 521(B).

BY THE COURT:

Kate Barkman

Kate Barkman

ALLEGHENY COUNTY PA
CRIMINAL DIVISION
DEPT OF COURT RECORDS

13 JUL-9 PM 3:52

FILED

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA
CRIMINAL DIVISION

COMMONWEALTH OF PENNSYLVANIA

vs.

MATTHEW EBO**ORIGINAL**Criminal Division
Dept. of Court Records
Allegheny County, PA.

CC No.: 201202821

OTN: G 547703-2

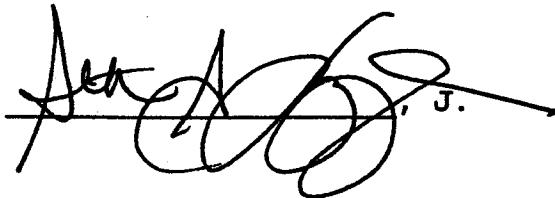
Charge: Criminal Homicide
1st Degree MurderORDER OF COURT IMPOSING LIFE SENTENCE

AND NOW, to-wit, this 28th day of November, 2012 in open Court, the Defendant having been convicted of First Degree Murder, appearing with counsel, and pursuant to 18 Pa.C.S.A. §1102 and 42 Pa.C.S.A. §9711, the sentence of the Court is that you, MATTHEW EBO, undergo imprisonment for the period of your natural life and stand committed; and be committed to the custody of the Department of Corrections for confinement in such State Correctional Facility authorized to receive males, and shall be delivered to the State Correctional Facility as determined by the Department of Corrections, there to be kept, fed, clothed and treated as the law directs.

This sentence to begin and take effect as of November 28, 2012.

FILED

2012 NOV 29 PM 1:42

DEPT. OF COURT RECORDS
CRIMINAL DIVISION
ALLEGHENY COUNTY, PA.


Commonwealth of Pennsylvania

v.

Matthew Ebo

IN THE COURT OF COMMON PLEAS OF
ALLEGHENY COUNTY, PENNSYLVANIA

CRIMINAL DIVISION

DOCKET NO: CP-02-CR-0002821-2012
OTN: G5477032

ORDER OF SENTENCE

AND NOW, this 28th day of November, 2012, the defendant having been convicted in the above-captioned case is hereby sentenced by this Court as follows. The defendant is to pay all applicable fees and costs unless otherwise noted below:

Count 1 - 18 §2501 §§A - Criminal Homicide -(H1)

To be confined for a Period of Life at SCI Camp Hill.

Count 2 - 18 §3701 §§A11 - Robbery-Inflict Serious Bodily Injury -(F1)

A determination of guilty without further penalty.

Count 3 - 18 §3702 §§A - Robbery Of Motor Vehicle -(F1)

To be confined for a Minimum Term of 10 years and a Maximum Term of 20 years at SCI Camp Hill.

This sentence is to be served consecutive to:

CP-02-CR-0002821-2012 Ct # 1 Confinement

Count 4 - 18 §6106 §§A1 - Firearms Not To Be Carried W/O License -(F3)

To be confined for a Minimum Term of 3 years and 6 months and a Maximum Term of 7 years at SCI Camp Hill.

This sentence is to be served consecutive to:

CP-02-CR-0002821-2012 Ct # 3 Confinement

Count 5 - 18 §6105 §§A1 - Possession Of Firearm Prohibited -(M1)

To be confined for a Minimum Term of 2 years and 6 months and a Maximum Term of 5 years at SCI Camp Hill.

This sentence is to be served consecutive to:

CP-02-CR-0002821-2012 Ct # 4 Confinement

Count 6 - 18 §903 §§C - Conspiracy - Robbery-Inflict Serious Bodily Injury -(F1)

To be confined for a Minimum Term of 10 years and a Maximum Term of 20 years at SCI Camp Hill.

This sentence is to be served consecutive to:

CP-02-CR-0002821-2012 Ct # 5 Confinement

Count 7 - 18 §903 §§C - Conspiracy - Criminal Homicide -(H1)

To be confined for a Minimum Term of 20 years and a Maximum Term of 40 years at SCI Camp Hill.

This sentence is to be served consecutive to:

CP-02-CR-0002821-2012 Ct # 6 Confinement

By the Court
L. Bland, Jr.

0519
FILED

12 MAR 28 AM 8:47

DEPT OF COURT RECORDS
CRIMINAL DIVISION
ALLEGHENY COUNTY, PA

Commonwealth of Pennsylvania

vs

Matthew Lamar Ebo

CC No. CC201202821

Offense Date 05/16/2011

O.T.N. No. G 547703-2

Filed Date 12/07/2011

B.C.I. No.

Pre-Trial Date 03/27/2012

S.I.D. No. 27027024

180/365 Dates 06/04/2012 / 12/06/2012

Race Black

F / A Date 04/04/2012

Sex Male

Judge

SS # [REDACTED]

Reporter

D.O.B. [REDACTED]

Minute Clerk

A.D.A.

SEE ATTACHED SHEET CASE(S) TO BE LINKED

Count 1: 182501A: CRIMINAL HOMICIDE

Count 2: 183701AII: ROBBERY- SERIOUS BODILY INJURY

Count 3: 183702A: ROBBERY OF MOTOR VEHICLE

Count 4: 186106A1: CARRYING FIREARM WITHOUT A LICENSE

Count 5: 186105C: PERSON NOT TO POSSESS A FIREARM

Count 6: 18903A1: CRIMINAL CONSPIRACY

And now 4/7/12 the Commonwealth motion for discovery for the defense to disclose materials within paragraph four of the motion is to be delivered in a timely manner before trial. Motion granted. See order filed.

and now 4/7/12 the Commonwealth motion for discovery for the defense to disclose materials within paragraph four of the motion is to be delivered in a timely manner before trial. Motion granted. See order filed.

On or about 4/15/22 the above
motion for bond has been
denied.

0520

By the Court
[Signature]

RECEIVED
COURT OF APPEALS
FOR THE FIFTH CIRCUIT
JULY 19 2022

*Amended Information****CC201202821*****Commonwealth of Pennsylvania****vs****Matthew Lamar Ebo****CC No. CC201202821****Offense Date 05/16/2011****O.T.N. No. G 547703-2****Filed Date 12/07/2011****B.C.I. No.****Pre-Trial Date 03/27/2012****S.I.D. No. 27027024****180/365 Dates 06/04/2012 / 12/06/2012****Race Black****F / A Date 04/04/2012****Sex Male****Judge****SS #** [REDACTED]**Reporter****D.O.B.** [REDACTED]**Minute Clerk****A.D.A. Steven M Stadtmiller****SEE ATTACHED SHEET CASE(S) TO BE LINKED****Count 1: 182501A: CRIMINAL HOMICIDE****Count 2: 183701A1I: ROBBERY- SERIOUS BODILY INJURY****Count 3: 183702A: ROBBERY OF MOTOR VEHICLE****Count 4: 186106A1: CARRYING FIREARM WITHOUT A LICENSE****Count 5: 186105C: PERSON NOT TO POSSESS A FIREARM NJ (M1)****Count 6: 18903A1: CRIMINAL CONSPIRACY****Count 7: 18903A1: CRIMINAL CONSPIRACY***over***Respondents' Exhibit 45**

Commonwealth's motion to introduce evidence at the trial has been GRANTED. See motion filed.

By the Court

_____, Jr.

And now 7/27/12 the Commonwealth's motion to introduce evidence the 11 transcript at trial as been GRANTED. See motion filed.

By the Court

_____, Jr.

And now 7/27/12 the Commonwealth's motion to present evidence of defendant Thaddeus Crumbley's actions on 4/2/11 has been GRANTED. See motion filed.

By the Court

_____, Jr.

And now 7/27/12 the motion to amend count 5 of the criminal information to 10SC has been granted and shall be heard non jury. See motion filed.

By the Court

_____, Jr.

CASE(S) LINKED TOGETHER:

COMMONWEALTH V. MATTHEW LAMAR EBOCC201111428 No Date
CC201113358 No DateJudge:
Judge:D/A: Lawrence E Sachs
D/A: Lawrence E SachsTHADDEUS THOMAS CRUMBLEY
CC201202820 No Date

Judge:

D/A: Steven M Stadtmiller

DATE 8/22/12
 JUDGE Beth Lazzara
 A.D.A. Steve Stadtmiller
 DEFT. Randall McKinney
 REPORTER Janet Barto
 MINUTE CLERK Ashley Plunhart
 In regards to counts
 and now 8/22/12
 Defendant present in open court
 with counsel pleads not guilty and
 waives trial by Jury. See waiver
 filed. on person not to possess.

DATE 8/22/12
 JUDGE Beth Lazzara
 A.D.A. Steve Stadtmiller
 DEFT. Randall McKinney
 REPORTER Janet Barto
 MINUTE CLERK Alunhart
 and now 8/22/12
 In Open Court Defendant(s) with counsel
 pleads Not Guilty. Issue joined by
 District Attorney.
 JURY SWEORN: 10:02 AM

and now 9/4/12 the
 defendant is adjudged
 at COUNT 1 GUILTY
 COUNT 2 GUILTY
 COUNT 3 GUILTY
 COUNT 4 GUILTY
 COUNT 5 GUILTY
 COUNT 6 GUILTY
 COUNT 7 GUILTY

Verdict received on 9/4/12 at
 2:34 PM and recorded at 2:39 PM
 and now 9/4/12
 Defendant(s) present in
 open court when verdict(s) recorded.

Trial Judge. Judge J.
 Respondents' Exhibit 45

AND NOW, 9/4/12

Defendant present in open court,
After bench trial, Defendant is hereby
adjudged GUILTY
as charged. on count 5

BY THE COURT:

By the Court
Logue, J

Defendant (s) present in
open court when verdict (s)
recorded.

Trial Judge.

By the Court
Logue, J

JUDGE

JUDGE

JUDGE

WINNIE CREEK

BEBOBIES

DELI

A.D.A.

JUDGE

DATE

AND NOW, 9/4/12

SENTENCE DEFERRED PENDING
PRE-SENTENCE REPORT.

sentencing set

NOVEMBER 28, 2012

and now 10/5/12 the
defense motion for extraordinary
relief has been DENIED.

By the Court
Logue, J

and now 10/5/12 the defense motion
for amended relief has been

DENIED

By the Court
Logue, J

and now 10/5 the motion to
proceed ^{inform a parolier} has
been GRANTED

WINNIE CREEK

By the Court
Logue, J

BEBOBIES

and now 10/5/12 the motion
for regards to Richard
Carpenter and Sadey
Robinson has been DENIED

DATE

By the Court
Logue, J

And now 11/28/12

SENTENCE PENALTY IMPOSED.
SEE ORDER FILED.

CR-M. Spagnolo

IN THE COURT OF COMMON PLEAS
 COUNTY OF ALLEGHENY
 CRIMINAL DIVISION

COMMONWEALTH OF PENNSYLVANIA

VS.

MATTHEW LAMAR EBO

Criminal Action No. CC201202821

The District Attorney of ALLEGHENY County, by this information charges that on (or about) Monday, the 16th day of May, 2011 in the said County of ALLEGHENY, MATTHEW LAMAR EBO hereinafter called actor, did commit the crime or crimes indicated herein, that is:

Count 1	CRIMINAL HOMICIDE	Murder
The actor intentionally, knowingly, recklessly or negligently caused the death of Todd Mattox another human being, in violation of Section 2501 (a) of the Pennsylvania Crimes Code, Act of December 6, 1972, 18 Pa. C.S. §2501(a), as amended.		
Count 2	ROBBERY- SERIOUS BODILY INJURY	Felony 1
The actor in the course of committing a theft, either inflicted serious bodily injury upon Todd Mattox threatened that person or persons with, or put that person or persons in fear of immediate serious bodily injury, in violation of Section 3701(a)(1)(i) or (ii) of the Pennsylvania Crimes Code, Act of December 6, 1972, 18 Pa. C.S. §3701 (a)(1)(i) or (ii).		
Count 3	ROBBERY OF MOTOR VEHICLE	Felony 1
The actor stole or took a motor vehicle, namely, a Nissan Sentra, from another person in the presence of that person or any other person in lawful possession of the motor vehicle, namely Todd Mattox, in violation of Section 3702 of the Pennsylvania Crimes Code, Act 28 of June 8, 1993, 18 Pa. C.S. §3702, as amended.		
Count 4	CARRYING FIREARM WITHOUT A LICENSE	Felony 3
The actor carried, without a license therefore as provided by Chapter 61, Subchapter A of the Pennsylvania Crimes Code, 18 Pa. C.S. §6101 et. seq., a firearm concealed on or about his person, or in a vehicle, in violation of Section 6106 of the Pennsylvania Crimes Code, Act of December 6, 1972, 18 Pa. C.S. §6106, as amended.		

Count 5

PERSON NOT TO POSSESS A FIREARM

Misdemeanor 1

The actor possessed, used, controlled, sold, transferred, manufactured or obtained a license to possess, use, control, sell, transfer or manufacture a firearm, said actor being a person who was adjudicated delinquent of Rape and/or Aggravated Assault in violation of Section 6105(a)(1) and (c) of the Pennsylvania Crimes Code, Act of December 6, 1972, 18 Pa.C.S. §6105(a)(1) and (c), as amended.

Count 6

CRIMINAL CONSPIRACY

Felony 1

The actor, with the intent of promoting or facilitating the crime(s) of Robbery, conspired and agreed with Thaddeus Crumbley that they or one or more of them would engage in conduct constituting such crime(s) or an attempt or solicitation to commit such crime(s), and in furtherance thereof committed one or more of the following overt acts: brandished a firearm and/or pointed a firearm at Todd Mattox and/or robbed and/or shot Todd Mattox and/or took the victim's property, in violation of Section 903 (a) (1) of the Pennsylvania Crimes Code, Act of December 6, 1972, 18 Pa. C.S. §903 (a)(1), as amended.

Count 7

CRIMINAL CONSPIRACY

Murder

The actor, with the intent of promoting or facilitating the crime(s) of Murder conspired and agreed with Thaddeus Crumbley that they or one or more of them would engage in conduct constituting such crime(s) or an attempt or solicitation to commit such crime(s), and in furtherance thereof committed one or more of the following overt acts: brandished a firearm and/or pointed a firearm at Todd Mattox and/or shot Todd Mattox, in violation of Section 903 (a) (1) of the Pennsylvania Crimes Code, Act of December 6, 1972, 18 Pa. C.S. §903 (a)(1), as amended.

All of which is against the Act of Assembly and the peace and dignity of the Commonwealth of Pennsylvania.

Attorney for the Commonwealth

CASE(S) LINKED TOGETHER:**COMMONWEALTH V. MATTHEW LAMAR EBO**

CC201111428 No Date
CC201113358 No Date

Judge:
Judge:

D/A: Lawrence E Sachs
D/A: Lawrence E Sachs

THADDEUS THOMAS CRUMBLEY
CC201202820 No Date

Judge:

D/A:

CC No. CC201202821

COMMONWEALTH OF PENNSYLVANIA

vs

MATTHEW LAMAR EBO

RECEIPT OF COPY OF INFORMATION

I hereby certify that I have received a copy of the information filed by the District Attorney in the above-captioned action.

/ / DEFENDANT

/ / DEFENDANT'S COUNSEL OF RECORD



SIGNATURE

DATE

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA
CRIMINAL DIVISION

COMMONWEALTH OF PENNSYLVANIA : CC No. 2012-02821

v. : OTN. G-547703-2

MATTHEW EBO, :
Defendant :
:

PETITION TO PROCEED IN FORMA PAUPERIS

AND NOW, January 13, 2016, comes the above-captioned Petitioner, **MATTHEW EBO**, by his attorney, Victoria H. Vidt, Esquire, of the Law Offices of the Public Defender of Allegheny County, Pennsylvania, and respectfully represents as follows:

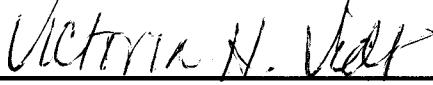
1. The Office of the Public Defender did represent Mr. Matthew Ebo in his Direct Appeal and Evidentiary Hearing in the lower court before the Honorable Beth A. Lazzara at the above referenced CC number.
2. The Law Office of the Public Defender believes and therefore certifies that the Petitioner is indigent and should be granted the right to proceed in forma pauperis.
3. Undersigned counsel has received no information regarding a substantial change in the financial condition of the Petitioner.
4. The Public Defender is providing free legal service to the Petitioner.

WHEREFORE, Applicant respectfully requests leave to file an appeal and proceed in forma pauperis pursuant to Pennsylvania Rules of Appellate Procedure 552.

Respectfully submitted,

ELLIOT HOWSIE
Public Defender

BRANDON P. GING
Deputy-Appellate Division



VICTORIA H. VIDT
Assistant Public Defender
Appellate Counsel

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

CRIMINAL DIVISION

COMMONWEALTH OF PENNSYLVANIA : CC No. 2012-02821
v. : OTN. G-547703-2
MATTHEW EBO, :
Defendant :
.

O R D E R

AND NOW, January 13, 2016, upon presentation of the foregoing Petition in the above-captioned case, the above-captioned Defendant is granted leave of Court to proceed on appeal in forma pauperis. Said leave is granted by the Department of Court Records-Criminal Division pursuant to Pennsylvania Rules of Appellate Procedure 552(d).

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

CRIMINAL DIVISION

COMMONWEALTH OF PENNSYLVANIA : CC No. 2012-02821
v. : OTN. G-547703-2
MATTHEW EBO, :
Defendant :
.

AFFIDAVIT

I certify that the following listed individuals are the only court reporters responsible for transcribing any part of the record necessary for the above-captioned appeal which have already been transcribed and filed with the Department of Court Records - Criminal Division and received by our office. To the best of my knowledge at this time, these individuals are as follows:

Michelle Maglicco – Motions (6/7/12)

Teresa Benson – Motions Continuance (6/8/12)

Debbie Betzler – Bail Hearing (6/13/12)

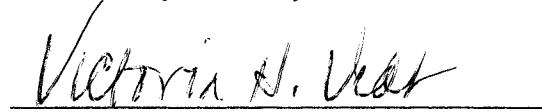
Denise Zwick – Pretrial Motions (7/27/12)

Janet Barto – Jury Trial – Vols. I & II (8/20/12 - 9/4/12)

Judy Dobies – Motion for Extraordinary Relief (10/5/12)

Mary Spagnolo – Sentencing (11/28/12)

Jane Hirsch – Motion for New Trial (10/29/15)



VICTORIA H. VIDT
Appellate Counsel

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA
CRIMINAL DIVISION

COMMONWEALTH OF PENNSYLVANIA	:	CC No. 2012-02821
v.	:	OTN. G-547703-2
MATTHEW EBO,	:	
Defendant	:	

PROOF OF SERVICE

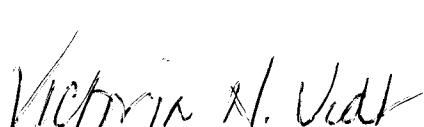
I, Victoria H. Vidt, Esquire, of the Law Offices of the Public Defender hereby certify that on this day the Notice of Appeal was served upon the following persons, by hand delivery, which satisfies the requirements of Pa.R.A.P. 121 to:

The Honorable Beth A. Lazzara
 522 Allegheny County Courthouse
 436 Grant Street
 Pittsburgh, Pennsylvania 15219
 (412) 350-5981

Michael W. Streily, Esquire
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Thomas McCaffrey
 Criminal Court Administrator
 535 Allegheny County Courthouse
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 VICTORIA H. VIDT
 PA I.D. #67385
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Date: January 13, 2016

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